## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEXINGTON INSURANCE COMPANY

Plaintiff

ν.

CIVIL ACTION

NO. 02-4435

(Hon. Anita B. Brody)

DAVID FORREST, T BEAUCLERC ROGERS IV, STANLEY MUNSON, MARTY FINK, NEW BEGINNINGS ENTERPRISES LLC, and TARLO LYONS

Defendants

## SUBSTITUTION OF AFFIDAVIT

Kindly file of record the attached, original, signed Affidavit of Stanley Munson in place of the facsimile copy of the Affidavit that was included in Motion of Stanley Munson to Dismiss the Second Amended Complaint of Plaintiff Lexington Insurance Company in Accordance with Federal Rule Of Civil Procedure 12(b)(2).

Respectfully submitted,

CONRAD O. KATTNER, ESQ.

Identification No: 035468 MCSHEA & TECCE, P.C. 1735 Market Street, 16<sup>th</sup> Floor

Philadelphia, PA 19103

(215) 599-0800

Attorney for Defendant,

Stanley Munson

Date: \_ 4-28-04

## IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEXINGTON INSURANCE COMPANY

Plaintiff

CIVIL ACTION

٧.

NO. 02-4435

DAVID FORREST, T BEAUCLERC ROGERS IV, STANLEY MUNSON, MARTY FINK, NEW BEGINNINGS ENTERPRISES LLC, and TARLO LYONS

Defendants

## CERTIFICATE OF SERVICE

Conrad Kattner, Esquire, attorney for Defendant, Stanley Munson, hereby certify that I have served true, correct and complete copies of the foregoing Substitution of Affidavit upon the following parties or their counsel of record by electronic service or alternatively by first class mail, postage prepaid on September 15, 2004:

Glenn F. Rosenblum, Esquire
Jeffrey R. Lennan, Esquire
Montgomery, McCraken, Walker &
Rhoads
123 South Broad Street
Philadelphia, PA 19 109
and
Edward P. Krugrnan, Esquire
Emily A. Poler, Esquire
Ira J. Dembrow, Esquire
Ira J. Dembrow, Esquire
Scott M. Mory, Esquire
Cahill Gordon & Reindel
80 Pine Street
New York, NY 10005
Counsel for Plaintiff

Alexander Kerr, Esquire
Stephen P. McFate
McCarter & English, LLP
Mellon Bank Center
1735 Market Street, Suite 700
Philadelphia, PA 19 103
and
Beverly Y. Lu, Esquire
Charles A. Adamek
Lord Bissell & Brook, LLP
300 South Grand Avenue, Suite 800
Los Angeles, CA 9007 1
Counsel for New Beginnings Enterprises

Edward M. Dunham, Jr., Esquire Shannon Hampton Sutherland, Esquire Duane Morris LLP One Liberty Place Philadelphia, PA 19 103 Counsel for David Forrest

David L. Pennington Harvey, Pennington, Ltd. 29th Floor, 1835 Market Street Philadelphia, PA 19103 Counsel for Tarlo Lyons

Nicholas M. Centrella, Esquire James J. Rohn, Esquire Kevin Dooley Kent, Esquire Conrad OYBrien Gellman & Rohn, PC 1515 Market Street, 16th Floor Philadelphia, PA 19 102 Counsel for T. Beauclerc Rogers, IV

Neil G. Epstein, Esquire Eckert Seamans Cherin & Mellott, LLC 15 15 Market Street Ninth Floor Philadelphia, PA 19 102 and Jeffrey D. Farrow, Esquire Mona Z. Hanna, Esquire Sanford Louis Michelman, Esquire Michelman & Robinson LLP 4 Hutton Centre, Suite 300 Santa h a , CA 92707 Counsel for Martin Fink

Respectfully submitted,

CONRAD O. KATTNER, ESQ. Identification No: 035468 MCSHEA & TECCE, P.C. 1735 Market Street, 16<sup>th</sup> Floor Philadelphia, PA 19103 (215) 599-0800 Attorney for Defendant,

Stanley Munson

9-28-04 Date: